

REMARKS

Claims 2-16 are pending in this application.

Rejection of Claim 13-16, 2, 3, 7, 8 and 12 under 35 USC § 103(a)

Claims 2, 3, 7, 8, 12 and 13-16 are rejected under 35 USC § 103(a) as being unpatentable over Monteiro et al. (U.S. Patent No. 5,778,187) in view of Kostreski et al. (U.S. Patent No. 5,734,589).

The present claimed invention provides a system for processing broadcast multimedia program content and advertisements to provide a composite program datastream having multimedia data content and user targeted advertisements to multiple different users. A condition access processor determines authorization of multiple broadcast sources to concurrently provide broadcast multimedia program content to the system. A scheduler schedules time of insertion of a designated advertisement into selected broadcast multimedia program content. A multiplexer provides multiple users with individualized composite program datastream by performing in parallel for multiple users: a) inserting designated advertisements into a selected multimedia program content at a scheduled insertion time to form a composite program datastream, and b) coupling the composite program datastream to a corresponding user of the multiple users.

Monteiro et al. describe a scalable architecture for delivery of real-time information over a communications network. A control mechanism is embedded into the architecture to provide for the management and administration of users who are to receive the real-time information. The information delivered is typically high-quality audio but may also include video, graphics, text or any other type of information that can be transmitted over a digital network. Multiple channels of information are available to be simultaneously delivered to users, each channel consisting of an independent stream of information. A user chooses to tune in or tune out of a particular channel but does not choose the time at which the channel distributes its information.

While Monteiro et al. describe a system for processing broadcast multimedia program content and advertisements to provide a composite program datastream having multimedia data content and user targeted advertisements to multiple different users, Monteiro et al. neither disclose nor suggest “a condition access processor operable to determine authorization of multiple content broadcast sources to concurrently provide broadcast multimedia program content to the system” as recited in independent claim 13 of the present invention. Monteiro et al. describes conditional access as:

“responsible for managing and administering the Users who are receiving the information being delivered by the distribution architecture described in the previous section. The control architecture handles new User registration, User login, the starting and stopping of audio streams and the monitoring of ongoing transmissions. The control architecture is scalable just as is the distribution architecture so that any number of Users can be managed” (Monteiro, col. 8, lines 28-36).

Monteiro et al. describe conditional access directed towards an end user. As such, Monteiro et al. neither disclose nor suggest “a condition access processor operable to determine authorization of multiple content broadcast sources to concurrently provide broadcast multimedia program content to the system” as recited in independent claim 13 of the present invention.

Kostreski et al. describe a method of dynamically programming a digital entertainment terminal (DET) to facilitate the operation of the terminal to offer a variety of functionally different broadband services. The terminal includes a network interface module which couples the terminal to a specific type of communication network for receiving a digital broadband channel. The DET downloads on a narrowband signaling channel a video information provider (VIP) program map that identifies the available video information service providers on the basis of the location of their corresponding software control signals. The software control signals are transmitted cyclically to enable access by a random DET at any time. A program memory captures the VIP program map and at least a portion of the software control signals received over the digital broadband channel as software is executable by the

control processor during turn-on of the DET. However, Kostreski et al., similarly to Monteiro et al., neither disclose nor suggest “a condition access processor operable to determine authorization of multiple content broadcast sources to concurrently provide broadcast multimedia program content to the system” as recited in independent claim 13 of the present invention. Kostreski et al. provides a set-top terminal device that processes compressed broadband digital audio/video information. The terminal is coupled to a communication network for receiving a broadcast digital broadband channel and may provide two-way control signaling communication between the terminal and the network. Kostreski et al. is not concerned with broadcasting multimedia content to multiple content broadcast sources. Consequently, Kostreski et al. neither disclose nor suggest “a condition access processor operable to determine authorization of multiple content broadcast sources to concurrently provide broadcast multimedia program content to the system” as recited in claim 13 of the present invention.

Additionally, even if one were to combine the systems of Monteiro et al. and Kostreski et al, the combination would produce a dynamically programmable and scalable system for delivering real-time information over a communication network that offers a variety of functionally different broadband services. This combination would still not produce a condition access processor that is able authorize multiple content broadcast sources to concurrently provide broadcast multimedia program content to the system. Therefore, similar to the individual systems, the combination of the systems of Monteiro et al. and Kostreski et al. neither disclose nor suggest “a condition access processor operable to determine authorization of multiple content broadcast sources to concurrently provide broadcast multimedia program content to the system” as recited in claim 13 of the present invention.

In view of the above remarks to the claims it is respectfully submitted that there is no 35 USC 112 compliant enabling disclosure in Monteiro et al. and Kostreski et al., when taken alone or in combination, showing the above discussed features. Since claims 2, 3, 7, 8, 12 and 14-16 are dependent on claim 13, it is further respectfully submitted that these claims are also patentable over Monteiro et al. and Kostreski et al.,

when taken alone or in combination for the same reasons as claim 13 discussed above.

It is thus further respectfully submitted that this rejection is satisfied and should be withdrawn.

Rejection of Claim 4-6 and 9-11 under 35 USC § 103(a)

Claims 4-6 and 9-11 are rejected under 35 USC § 103(a) as being unpatentable over Monteiro et al. in view of Kostreski et al. as applied to claim 13 above, and further in view of Srinivasan et al. (U.S. Patent Application Publication No. 2001/0023436).

Srinivasan et al. describe an authoring system for interactive video having two or more authoring stations for providing authored metadata to be related to a main video data stream and a multiplexer for relating authored metadata from the authoring sources to the main video data stream. The authoring stations annotate created metadata with presentation time stamps (PTS) from the main video stream, and the multiplexer relates the metadata to the main video stream by the PTS signatures. However, Srinivasan et al., similarly to Monteiro et al. and Kostreski et al., neither disclose nor suggest “a condition access processor operable to determine authorization of multiple content broadcast sources to concurrently provide broadcast multimedia program content to the system” as recited in claim 13 of the present invention. Srinivasan et al. is concerned with the insertion of time-slots into a broadcast video at pre-determined intervals. Srinivasan et al., however, does not provide a condition access processor for determining the authorization of content from multiple broadcast sources to provide broadcast multimedia program content to the system.

Additionally, even if one were to combine the systems of Monteiro et al., Kostreski et al. and Srinivasan et al., the combination would produce a dynamically programmable and scalable system for delivering real-time information over a communication network and providing authored metadata to be related to a main video data stream that offers a variety of functionally different broadband services. This combination would still not produce a condition access processor that is able authorize multiple content broadcast sources to concurrently provide broadcast multimedia

program content to the system. Therefore, similar to the individual systems, the combination of the systems of Monteiro et al. and Kostreski et al. neither disclose nor suggest "a condition access processor operable to determine authorization of multiple content broadcast sources to concurrently provide broadcast multimedia program content to the system" as recited in claim 13 of the present invention.

In view of the above remarks to the claims it is respectfully submitted that there is no 35 USC 112 compliant enabling disclosure in Monteiro et al., Kostreski et al., and Srinivasan et al., when taken alone or in combination, showing the above discussed features. Since claims 4-6 and 9-11 are dependent on claim 13, it is further respectfully submitted that these claims are also patentable over Monteiro et al., Kostreski et al. and Srinivasan et al., when taken alone or in combination. It is thus further respectfully submitted that this rejection is satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Application Serial No. 09/712,887

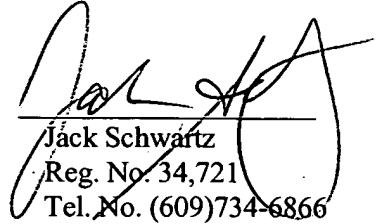
Attorney Docket No. PU000126

No fee is believed due. However, if a fee is due, please charge the fee to

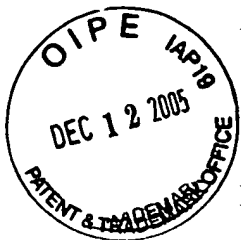
Deposit Account 07-0832.

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CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: December 8, 2005

A handwritten signature in black ink, written over a horizontal line. The signature is stylized and appears to be "J. A. Smith".